

Plain English Summary  
Of Missouri Ethics Laws  
For Candidates For  
Election To Office  
In Missouri



Missouri Ethics Commission  
3411 Knipp Drive Ste A  
PO Box 1370  
Jefferson City, MO 65102-1370  
(573) 751-2020 or (800) 392-8660  
[www.mec.mo.gov](http://www.mec.mo.gov)

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This Guide is intended to provide a summary of the Missouri Ethics Laws that will affect the activity of individuals who are or may become a candidate for elective office at the State, County, Municipal or Special District level in Missouri. For the Laws' complete requirements consult Chapters 105 and 130 RSMo.



### **IMPORTANT**

All Financial Disclosure Statements and Campaign Finance Reports, if mailed, MUST be POSTMARKED by midnight the day PRIOR to the DUE DATE.



## **PERSONAL FINANCIAL DISCLOSURE STATEMENT (PFD)**

Forms and instructions are available at <http://www.mec.mo.gov>.

Candidates (new/incumbent) **required to file:**

- Statewide Office, Missouri Senate and House of Representatives, and non- incumbent candidates for Circuit or Associate Judges. Incumbent Judges must file this report with the Supreme Court.
- Candidates for office in a political subdivision with an annual operating budget over one million dollars.

Candidates in political subdivisions which have an ordinance or resolution on file are not required to file **UNLESS** they meet one or both of the exceptions listed below.

- If the candidate is doing business with the political subdivision at a transaction of \$500.00 or more.
- If you are a candidate for a position that is required to file pursuant to the ordinance or resolution.

### **PFD Filing Deadlines For Candidates**

Statutory Election Dates	Closing Date of Filing For Candidacy	If Not Filed By This Date \$10.00 Per Day Fine Until Received	If Not Filed By This Date Candidate Disqualified and <b>REMOVED From The Ballot</b>
February 3, 2009	November 18, 2008	December 2, 2008	December 9, 2008
March 3, 2009	December 16, 2008	December 30, 2008	January 6, 2009
April 7, 2009	January 20, 2009	February 3, 2009	February 10, 2009
June 2, 2009	March 17, 2009	March 31, 2009	April 7, 2009
August 4, 2009	May 19, 2009	June 2, 2009	June 9, 2009
November 3, 2009	August 18, 2009	September 1, 2009	September 8, 2009

The previous chart indicates the dates that the financial statement must be filed with the Missouri Ethics Commission. Also the chart indicates the actions that will be taken by the Missouri Ethics Commission if the statement is not filed by either of two specific date deadlines.

If you are unsure if something should be disclosed, there is no penalty for over disclosure. This may also avoid the appearance of concealing possible conflicts of interest.

**NOTE:** All Financial Disclosure Statements and Campaign Finance Reports, if mailed, MUST be POSTMARKED by midnight the day PRIOR to the DUE DATE.

## CAMPAIGN FINANCE

**NOTE:** The reporting requirements for candidates cover two separate areas, - what reports are required to be filed and where the reports are to be filed.

Forms, instructions and brochures are available at <http://www.mec.mo.gov>.

*Every candidate shall maintain records of each contribution received or expenditure made in support of his/her candidacy (including the candidate's own money).*

### Reports To Be Filed and Due Dates

2009 Election Date	Feb 3	Mar 3	Apr 7	Jun 2	Aug 4	Nov 3
Last Day to Organize a Candidate Committee	Jan 4	Feb 1	Mar 8	May 3	Jul 5	Oct 4
<b>40 Day Before Report</b>						
Closing Date	Dec 20	Jan 17	Feb 21	Apr 18	n/a	n/a
Due Date	Dec 25	Jan 22	Feb 26	Apr 23	n/a	n/a
<b>8 Day Before Report</b>						
Closing Date	Jan 22	Feb 19	Mar 26	May 21	Jul 23	Oct 22
Due Date	Jan 26	Feb 23	Mar 30	May 25	Jul 27	Oct 26
<b>30 Day After Report</b>						
Closing Date	Feb 28	Mar 28	May 2	Jun 27	Aug 29	Nov 28
Due Date	Mar 5	Apr 2	May 7	Jul 2	Sep 3	Dec 3

<b><u>Quarterly Reports</u></b>						
Closing Date:	N/A	Mar 31	Jun 30	Sep 30		
Due Date:	N/A	Apr 15	Jul 15	Oct 15		

*If the report is not received by the due date a **\$10/day** penalty will be assessed **EXCEPT** for the **8 Day Before Report** which is **\$100/day** for the first 8 days and then \$10/day thereafter.*

## Where To File Campaign Finance Reports

**NOTE: Any individual and committee within 48 hours of receiving any contribution from any single contributor which exceeds \$5,000.00 SHALL electronically report receiving it to the Missouri Ethics Commission by using the Commission designated form for disclosing contributions which exceed \$5,000.00.**

Office Sought	Appropriate Officer
Office in special purpose district (school, fire, ambulance, etc.); Municipal Office in city with a population of 100,000 or less; County Office in county with a population of 100,000 or less (except County Clerk).	County Clerk for candidate's place of residence, except that in a city or county having a board of election commissioners the board shall be the local election authority.
Municipal Office in a city with a population of more than 100,000; County Office in a county with a population of more than 100,000; County Clerk, regardless of population; General Assembly, Partisan Circuit Court Judge, or Partisan Associate Circuit Court Judge.	Missouri Ethics Commission, AND County Clerk for candidate's place of residence, except that in a city or county having a board of election commissioners, the board shall be the local election authority.
Statewide Office	Missouri Ethics Commission
Federal Candidates	Federal Election Commission

**I. A candidate for Statewide Office, General Assembly or Municipal office in a city with a population of more than 100,000 SHALL**, no later than the first reporting date after the deadline to file a declaration of candidacy, **either**:

1. File a Statement of Exemption that the candidate does not intend to either receive contributions or make expenditures in the aggregate of more than \$500 or receive contributions from any single contributor, other than the candidate, that aggregate more than \$325 and that the total of all contributions received or expenditures made by the candidate and all committees or any other person with the candidate's knowledge and consent in support of the candidacy will not exceed \$500; **or**,
2. File a Statement of Committee Organization and subsequent campaign finance disclosure reports. *The last day to reject an exemption and form a committee is 30 days prior to the date of the election.*

**II. All other candidates for public office ARE NOT** required to file a statement of exemption in order to be exempt from filing campaign finance disclosure reports **if** the aggregate of contributions received or expenditures made by the candidate and any other person, with the candidate's knowledge and consent, in support of the person's candidacy **does not exceed \$1,000** and the aggregate of contributions from any single contributor **does not exceed \$325**.

**However, if** either of these thresholds (\$1,000/\$325) **is exceeded** the candidate is required to file a Statement of Committee Organization **within 20 days** of exceeding the threshold with the Missouri Ethics Commission or the appropriate election authority. ***IMPORTANT: The last day a candidate committee may be formed is 30 days prior to the date of the election.***

## Political Advertising

**Printed matter** shall include any sign, including signs for display on motor vehicles, advertisement, and any advertisement in any newspaper or other periodical, pamphlet, circular, handbill, sample ballot or other imprinted or lettered material.

### Requirement

Any person publishing, circulating, or distributing any printed matter relative to any candidate for public office or any ballot measure shall on the face of the printed matter identify in a clear and conspicuous manner the person who paid for the printed matter with the words "Paid for by" followed by the proper identification of the sponsor.

- a. Printed matter that is paid for by a candidate who has not formed a committee, print the first and last name by which the candidate is known.
- b. Printed matter that is paid for by a committee, print the name of the committee as registered with the appropriate election authority and the name and title of the committee treasurer who was serving when the printed matter was paid for.
- c. Printed matter that is paid for by a corporation, or other business entity, labor organization, or any other organization not defined to be a committee, print the name of the entity, the name and title of the principal officer of the entity, by whatever title known, and the mailing address of the entity.
- d. Printed matter that is paid for by an individual or individuals, print the name of the individual or individuals and the respective mailing address or addresses. If more than five individuals join in paying for the printed matter it shall be sufficient to print the words "For a list of sponsors contact:" followed by the name and address of one such individual who shall be responsible for causing the matter to be printed and the individual identified shall maintain a record of the names and amounts paid by other individuals.

**Exclusions** from printed matter – For the purpose of the campaign finance disclosure law, printed matter does not include any items of personal use given away or sold, such as campaign buttons, pencils or clothing, which is paid for by a candidate or committee.

**Radio and Television Advertisement** – Any broadcast station transmitting any matter relative to any candidate for public office or ballot measure shall identify the sponsor of such matter as required by federal law.

## **CONFLICT OF INTEREST**

The general provisions of the law as they apply to candidates provide that an elected official cannot use his/her office for financial gain for him/herself, spouse or dependent children. Also, the elected official cannot vote to hire any person related to the official by the fourth degree by blood or marriage. (i.e. great grandparent to first cousin)

The elected official, nor any company or partnership that the official has more than a ten percent (10%) interest in, cannot perform a service for the political subdivision for pay of more than \$500 per transaction or \$5,000 per year unless the service is bid and the official, company or partnership is the lowest bidder. This also applies to the sale, rent or lease of property to the political subdivision.

Elected officials cannot vote for or against any measure if they have received or have been promised any gift or payment of any item of value nor may they receive anything of value to influence the action of the political subdivision.

## **COMPLAINTS**

Any individual may file a complaint with the Missouri Ethics Commission if that individual believes any candidate or other individual has violated the campaign finance disclosure laws, the personal financial disclosure laws, the conflict of interest laws, the lobby laws, or any order, ordinance or resolution dealing with the official conduct of officials. Any complaint against a candidate alleging a violation of the conflict of interest or lobbying laws will not be accepted by the Ethics Commission from sixty days prior to the primary until after the date of the general election. Additionally, no complaint shall be accepted by the commission within fifteen days prior to the primary or general election at which such candidate is running for office. All complaints must be in writing and must be sworn to under penalty of perjury by the complainant. A copy of the complaint will be provided to the respondent.

## **LOBBYING**

A lobbyist is a person who attempts to influence the action of government. There are four types of lobbyists. These types are legislative lobbyist, executive lobbyist, judicial lobbyist, and elected local government official lobbyist. A lobbyist may register to lobby any or all of these government branches. For more information, please refer to section 105.470 RSMo for the definition of a lobbyist.

Each lobbyist must register with the Missouri Ethics Commission annually. The registration fee is \$10. Each lobbyist must file a monthly report stating whether or not they spent money on elected officials, their families or their staff. Failure to file the monthly statement will result in a \$10 per day late fee. A lobbyist may terminate their status at any time.